IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

WP(C).No. 26971 of 2006(J)

PETITIONER:

A.A.GOVINDAN, AGED 68 YEARS,
S/O.LATE APPU PANICKER, LICENCEE,GURUVAYUR
TOWNSHIP REST HOUSE, GURUVAYUR, THRISSUR
RESIDING AT SUBHADRA BHAVAN, PERUMPILAVU P.O.,
VIA KARIKAD, THRISSUR.

BY ADV. SRI.RAJIT
SRI.RANJIT BABU

RESPONDENTS:

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1. GURUVAYUR MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
GURUVAYUR, THRISSUR.

2. THE SECRETARY,
GURUVAYUR MUNICIPALITY,
GURUVAYUR, THRISSUR.

BY ADV. SRI.K.K.CHANDRAN PILLAI, SC FOR RESPONDENTS 1 AND 2
SRI.S.K.MOHAMED SAJEER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 26971/06

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. COPY OF THE COMMUNICATION NO.T3.25/87 DT. 28.2.89

EXT.P2. COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE RESPONDENTS

EXT.P3. COPY OF THE REPRESENTATION FILED BY THE PETITIONER DT. 18.8.05

EXT.P4. COPY OF THE NOTICE ISSUED BY THE RESPONDENTS TO THE PETITIONER

EXT.P5. COPY OF THE REPRESENTATION DT. 30.9.06 EVIDENCING THE PAYMENT OF RS.1 LAKHS

EXT.P6. COPY OF THE ORDER NO.R3-6772/06 DT. 8.12.06 ISSUED BY THE RESPONDENT MUNICIPALITY TO THE PETITIONER

EXT.P7. COPY OF THE RECEIPT NO.001368 DT. 19.1.07 ISSUED BY THE RESPONDENT MUNICIPALITY TO THE PETITIONER

/TRUE COPY/

PA TO JUDGE.

PIUS C. KURIAKOSE, J.

W.P.(C). NO. 26971 OF 2006

Dated this the 4th day of December, 2007

J U D G M E N T

It is seen that a substantial portion of the demand made by the Municipality had been paid off on the basis of the interim order passed by this court. Sri. K.K.Chandran Pillai, learned Standing Counsel for the Municipality submits that what remains by way of balance is around Rs.88,198/- for the period up to September, 2007. Under these circumstances, it is not necessary for me to examine the merits of the grounds raised by the petitioner.

I dispose of the writ petition directing the petitioner to pay the balance amount in four equal monthly instalments. Petitioner will also be obliged to pay the fee which became payable for the subsequent months also. In the event of the petitioner committing two defaults in the matter of payment, petitioner will forfeit this benefit and the impugned orders will become operative. It is made clear that this court has not decided the merits of the petitioner's claim regarding repairs and maintenance.

PIUS C. KURIAKOSE, JUDGE

vps